

In the Court of Appeals of the State of Alaska

James R. Phillips,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-13800**

Order

Motion to Exempt or Reduce Filing Fee
under AS 09.19

Date of Order: **3/8/2021**

Trial Court Case No. **2KB-12-00197CI, 2KB-09-00137CR, 2KB-09-00436CR, 2KB-09-00501CR**

The Appellant, James R. Phillips, moves for an exemption from the filing fee for his appeal. This case, a prisoner's civil appeal against the State of Alaska, is governed by the provisions of AS 9.19. Under AS 9.19.010(d), even when a prisoner cannot afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater.

Based on the financial information provided by the Appellant, the greater figure is twenty percent of the average monthly deposits of the prisoner's account: \$20.24. It is the practice of this Court to round the minimum filing fee up to the nearest 25 cents. In Mr. Phillips's case, this yields a minimum filing fee of \$20.25.

Accordingly, **IT IS ORDERED:**

1. Mr. Phillips's motion for an exemption from the normal filing fee is **GRANTED in part.**

2. Mr. Phillips shall pay a reduced filing fee of **\$20.25**. This fee must be paid within 30 days of this order - **4/7/2021**. If there is good reason, the Court may grant an extension of this deadline. If Mr. Phillips fails to pay the filing fee within the time allowed, this appeal will be rejected for filing and this case will be closed.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts

A handwritten signature in black ink that reads "Joyce Marsh". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Joyce Marsh, Deputy Clerk

Distribution:

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